



EMPLOYEE Handbook

Effective 2019

Welcome to the City of Newberg!

Welcome to the City of Newberg, we're glad to have you on our team. At the City of Newberg, we believe that our employees are our most valuable asset. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce.

We hope you will enjoy a productive and pleasant association with us. We have created a work environment, compensation and benefits program, and interactive culture that fosters positive work relationships. We expect that you will enhance the atmosphere by contributing your best efforts in whatever is asked of you.

This employee handbook describes, in summary, the personnel procedures and policies that govern the employment relationship between the City of Newberg and its employees, other than those found in applicable collective bargaining agreements. The policies stated in this handbook are subject to change at any time at the sole discretion of the City with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City of Newberg that are inconsistent with its provisions. It does not, however, substitute for collective bargaining agreement provisions. You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please ask your Supervisor or the Human Resources Director.

This handbook does not create a contract of employment between the City of Newberg and its employees. With the exception of employees subject to a collective bargaining agreement, all employment at the City is "at will." That means that either you or the City may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a collective bargaining agreement or written contract of employment). No supervisor, manager, or representative of the City has the authority to enter into any agreement with you regarding the terms of your employment that changes the at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by the City Manager, or is included in a collective bargaining agreement.

Our History

Newberg is nestled in the foothills of the Chehalem Valley, alongside the Willamette River. It is approximately 20 miles southwest of Portland, Oregon's largest city. Newberg is situated on Highway 99W, which is the major route between Portland and the central Oregon Coast. The City was settled in the late 1800s and early 1900's, with many members of the Society of Friends, also known as Quakers, making Newberg their home. The City was incorporated in 1889.

Its first postmaster, Sebastian Brutscher, a native of Newburgh, Germany named the city for his hometown. Newberg is also the boyhood home of President Herbert Hoover, who came to the community to live with his uncle and aunt in the late 1800's.

The area is served by the Newberg School District and a number of private schools. George Fox University, originally founded in 1891 as the Friends Pacific Academy, serves over 4,000 students in both undergraduate and graduate programs. The university has grown considerably over the last 20 years from a student body in the 500's to the current 2,000 traditional undergraduate students. George Fox has an extensive degree completion program and graduate programs serving over 1,000 non-traditional students.

Newberg has a number of major manufacturing plants, dental equipment, and electronics as well as a strong agricultural base that is evidenced by the vineyards and wineries in the area. In recent years, a number of retirement and assisted living facilities have located in Newberg with each of those facilities housing 200-300 seniors.

Newberg is the second largest city in Yamhill County. The population of Newberg and the Chehalem Valley has grown rapidly over the last three decades. In 1970 Newberg was home to 6,507 people. By 2018 that number had jumped to 23,795 individuals.



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Employment Status

Employment/Probationary Period

All new employees, including current employees who are promoted or transferred within the City, are hired into a probationary period that generally lasts no less than one (1) year. The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your manager. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if the City meets your expectations of an employer.

There is a six (6) month waiting period from date of hire to use accrued vacation time unless pre-approved at time of hire.

At or before the end of the probationary period, a decision about your employment status will be made. The City will decide whether to: (1) extend your probationary period (2) move you to regular, full-time or regular, part-time status (3) terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and the City may terminate the employment relationship during the probationary period for any or no reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by the City for any definite period of time. Both you and the City are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

New Employee Orientation

New employees will receive a thorough orientation within the first week of employment. This helps ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies.

Open-Door Policy

The City's Open Door Policy is based on our belief that employee suggestions for improving the City are welcome at any time. If you have a complaint, suggestion, or question about your job,

working conditions, or the treatment you are receiving from anyone in the City, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the Department Director or Human Resources Director.

Employment

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, pregnancy, marital or veteran status, sexual orientation, or the presence of a physical or mental condition or disability that is not job-related.

We will always try to select the most qualified person for each available job. External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment or decision will be made until the position has been posted for a minimum of five working days. In order to be eligible to transfer to a different job, you must have completed your probationary period and shall not be in the process of any disciplinary action. If the probationary period is not completed, the transfer must be approved by the City Manager. A new probationary period will begin at the time of the transfer.

Former employees, relatives or partners of current employees will be considered for employment in the same manner as other applicants. We will not place a spouse, partner or immediate family member under the direct supervision of his/her spouse, partner or family member.

You may from time to time be temporarily or permanently transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department, depending upon the circumstances. We may reassign an employee whose placement is determined to be unsuited to his/her individual skills, and may transfer any employee who has an illness or disability that requires a modified duty job when necessary.

Employee Classification

The City classifies employees as follows:

Regular Full-time: Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in all of the City's benefit programs.

Regular Part-time: Employment requiring at least 20 but less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 40 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees are eligible for benefits such as vacation, sick leave, holiday benefits and cost of living adjustments (COLA) on a pro-rated basis.

On-Call and limited Part-Time: An employee who is regularly scheduled to work less than 20 hours per week, or who may not have a set schedule and works only when called upon. This classification does not qualify for vacation or holiday benefits. It does qualify for sick leave in accordance with Oregon's Paid Sick Leave Law.

Temporary: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments, usually not to exceed 6 months. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either **"exempt"** or **"non-exempt"**, which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs.

The Workweek

The workweek is a seven-day work period beginning Monday at 12:00 a.m. through Sunday at 11:59 p.m. Typically, business hours are from Monday through Friday 8:00 a.m. through 5:00 p.m.

Meal Periods and Rest Breaks

Non-exempt employees are required to take a paid, uninterrupted 15-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Non-exempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, an employee is required to remain

on duty or to perform any tasks during the meal period, the employee must inform his or her supervisor before the end of the shift so that the City may pay the employee for that work.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to come in late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination. Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available to him or her should contact their supervisor.

Length of work period	Number of rest breaks required Number of rest breaks required	Number of meal periods required
2 hrs or less	0	0
2 hrs 1 min - 5 hrs 59 min	1	0
6 hrs	1	1
6 hrs 1 min - 10 hrs	2	1
10 hrs 1 min - 13 hrs 59 min	3	1
14 hrs	3	2
14 hrs 1 min - 18 hrs	4	2
18 hrs 1 min - 21 hrs 59 min	5	2
22 hrs	5	3
22 hrs 1 min - 24 hrs	6	3

Rest Breaks for Expression of Breast Milk

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for her child eighteen (18) months of age or younger. If feasible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not feasible, the employee is entitled to take reasonable time as needed to express breast milk.

The City will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. The City will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this rule.

The City will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

An employee who intends to express milk during work hours must give their supervisor reasonable oral or written notice of her intention to do so in order to allow the City time to make any preparations necessary for compliance with this rule.

Storage

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

Overtime

Time-and-a-Half

The City pays one and one-half times a non-exempt employee's hourly rate for all hours worked over 40 in any workweek. See "Employee Classification," above.

Limitation on Overtime Pay

Paid hours not actually worked (for example, vacation, holidays, comp, sick etc.) will not be counted toward the 40 per workweek required to receive overtime pay.

Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by the City on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the

non-exempt employee performing that job at the conclusion of his or her straight-time hours will normally be expected to continue to perform the job on an overtime basis.

Supervisor Authorization

No overtime may be worked by non-exempt employees unless specifically authorized by a supervisor or Department Director. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

Compensatory (Comp) Time

Employees required to work more than the work week will receive overtime pay (at the rate of one and one-half times their regular rate of pay) or compensatory time off (at the rate of one and one-half hours for each hour or prorated fraction of an hour worked) at the discretion of the Department Director. No employee may accumulate more than two hundred forty (240) hours of compensatory time off. Supervisors shall attempt to limit compensatory time accrual to forty (40) hours. Use of compensatory time off must be arranged by mutual agreement between the employee and supervisor.

Timekeeping Requirements

All non-exempt employees must accurately record time worked on a time card for payroll purposes. Filling out another employee's time card, allowing another employee to fill out your time card, or altering any time card will be grounds for discipline up to and including termination. An employee who fails to record his or her time may be subjected to discipline as well.

Exempt employees also may be required to record their time on either a time card or time sheet. These employees will be instructed separately on this process.

Employee-Incurred Expenses and Reimbursements

The City will pay actual and reasonable business-related expenses you incur in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor/manager before they are incurred. The City will not pay for or reimburse the costs incurred by a spouse, registered domestic partner or travel companion who accompanies the employee on City approved travel.

Employees must provide a completed and signed expense report and evidence of proof of purchase (receipts) within one month of the expense being incurred or the employee risks forfeiting their payment or reimbursement.

Some examples of actual and reasonable business-related expenses that the City will reimburse/pay for are:

- *Work related Conferences or Workshops*
- *Education related to work*

- *Meals while traveling with an overnight stay for work or work related – see Purchasing Policy for details.*
- *Mileage and Parking:* Employees are encouraged to use a City vehicle for City business. Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service. Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by the City.

Payroll Policies

You will be paid monthly. For hourly (non-exempt) employees, “month” is defined as the 21st to the 20th, and those are the dates you should report on your time card.

Paydays are generally the last working day of each month, for both non-exempt and exempt employees.

Net pay will be directly deposited into the employee’s bank account, unless an employee requests otherwise. If an employee requests to pick up his/her check from the City, only the employee named on the paycheck will be allowed to do so unless the employee provides written permission to the City to have someone else receive the check.

The City makes all efforts to comply with applicable Oregon and Federal wage and hour laws. In the event you believe that the City has made any improper deductions, has failed to pay you for all hours worked or for overtime, or has failed to properly calculate your wages in any way, you must immediately report the error to your supervisor. The City will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination because he or she has reported any errors or complaints regarding the City’s pay practices.

Reporting Changes to an Employee’s Personal Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone numbers, exemptions, dependents, beneficiaries, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, please notify your supervisor to assure that the proper updates/paperwork are completed as quickly as possible:

- Name;
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only);

- Address or telephone number;
- Dependents;
- Person to be notified in case of emergency;
- Other information having a bearing on your employment; and
- Tax withholding.

Employees may not intentionally withhold information from the City about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, the City may require employees to provide proof of marital status/domestic partnership status.

Performance Reviews

All City employees will receive annual performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, retention and termination. Any employee who fails to satisfactorily perform the duties of their position is subject to disciplinary action.

The City's goal is to provide an employee with his/her first performance evaluation within twelve months after hire or promotion. After the initial evaluation, the City will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed no later than thirty days following the date the performance evaluation was received.

Supervisors and Department Directors are encouraged to provide employees with informal evaluations of their employees' work on an as-needed basis.

Time Off and Leaves of Absence

Attendance, Punctuality and Reporting Absences

Employees are expected to report to work as scheduled, on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized City business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via a telephone call/text no later than three hours before the start of the employee's shift/work day. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

Vacation

All full-time and regular part-time employees are eligible for vacation based on the schedule below. All accruals are pro-rated the first month of employment. At the end of the specified initial employment period, credit is given from the first day of employment. No vacation time may be taken or paid during the first six months, unless specific arrangements have been made at the time of hire.

You will earn vacation benefits for each full pay period worked according to the following schedule:

<u>Length of Service as</u>	<u>Vacation hours earned</u>	<u>Maximum Vacation</u>
<u>of Anniversary Date</u>	<u>on completion of year</u>	<u>Accrual Allowed</u>
Up to 5 years	1 vacation day (8 hours) per month Up to 12 days per year (96 hours)	192 hours
5 years but less than 10 years	15 vacations days per year (120 hours) (10 hours per pay period)	240 hours
10 years but less than 15 years	18 vacation days per year (144 hours) (12 hours per pay period)	288 hours
15 years but less than 20 years	20 vacation days per year (160 hours) (13.33 hours per pay period)	320 hours
20 years or more	22 vacation days per year (176 hours) (14.66 hours per pay period)	352 hours

Union Contract employees may have different accruals in their negotiated contracts.

Accrual for regular part-time employees is on a pro-rated basis calculated on the established budgeted FTE.

Vacation hours are not accrued during unpaid leave or layoffs.

We provide vacation so you can enjoy periods of time away from work. Vacation is intended for rest and recreation. Vacation accruals are not to be cashed out. Vacation accrual will be paid out at separation in accordance with applicable laws.

Vacation benefits will stop accruing when the maximum allowed has been reached. The benefit will begin accruing again when you reduce the total to less than the allowed maximum.

Employees who want to use vacation time should request time off as early as possible, at least two weeks prior to time requested, so that arrangements for coverage can be made. Requests for vacation time are to be made in writing and submitted to your supervisor. We will try to grant each request, but we cannot guarantee your request will be approved. In the event of competing requests for times submitted concurrently, consideration will be given to the employee with the longest tenure. Approval of special requests may be done at the discretion of the Department Director in accordance with departmental rules.

Longevity Pay

The City currently contributes longevity pay towards deferred compensation for regular full-time employees with more than 10 years of service. The City's contribution to deferred compensation is shown below and may be changed from time to time by the City Manager. Employees who do not select a deferred compensation provider, forfeit longevity pay until a provider is selected. Union Contract employees may have different pay levels in their negotiated contracts.

The City recognizes an employee's longevity of employment by providing a monthly contribution to a deferred compensation program (457 Plan). Effective January 1, 2000, the monthly contribution shall be as follows:

11-15 years =	\$40 per month
16-20 years =	\$60 per month
Over 20 years =	\$100 per month

Sick Leave

The City provides eligible employees with sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact the Human Resources Director. Please also refer to the Oregon Sick Leave Law poster that is posted and is incorporated here by reference.

Eligibility and Accrual of Paid Sick Leave

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes temporary, part-time, full-time, hourly, salaried, exempt and non-exempt employees. Sick leave runs concurrently with Oregon Family Medical Leave, Federal Family and Medical Leave and other leave where allowed by law.

Sick time accumulated will accrue to a maximum of 125 days (1000 hours) and to be prorated for regular part-time employees according to the budgeted full-time equivalent. Sick leave does not accrue during unpaid leaves or layoffs. Union employees may have a different accrual in their negotiated contracts.

Sick leave is accumulated on a full pay period at a rate of 8 hours for a full-time employee and at a pro-rated amount for a regular part-time employee. Sick leave can be used after one month of continuous employment.

You are expected to notify your supervisor/manager at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when you know in advance that you will be absent for a certain period and have informed management ahead of time.

A medical release statement may be requested if absent for more than 3 days for review before you return to work in certain situations.

Sick leave is not accumulated while an employee is on an unpaid leave of absence. In the case of a work-related accident or injury, you may use sick time to offset any days or hours not paid through workers' compensation. However, at no time can the combination of these exceed normal earnings, nor can you use more sick time than that accumulated. Sick leave is not paid out at time of separation of employment.

Sick Leave Transfers

An employee may request, through their Department Director, that some of the employee's paid sick leave be transferred to another employee who is absent from work for an extended period of time because of an injury, unexpected illness, or other reason for which the use of paid sick leave would normally be allowed. The Department Director will pass the request, with the Department Directors recommendation to the City Manager for approval. The employee receiving a donation of paid sick leave must be non-probationary and must first have used all available paid leave and vacation time.

The maximum donation to be given by any employee is 16 hours per incident, not to exceed 48 hours in any calendar year. Employees transferring paid sick leave must have accrued a

minimum of 200 hours of paid sick leave or for part-time a prorated amount commensurate with the full-time equivalent of the position. All donated leave will be used in the order received by the Finance Department. The Finance Department will transfer sick leave as needed.

Holidays and Floating Holidays

The City recognizes eleven holidays each year. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week.

The holidays celebrated are:

The City of Newberg observes the following holidays each year (11 total), and City offices are officially closed on these days:

New Year's Day	Veteran's Day
Martin Luther King Jr's Day	Thanksgiving Day
President's Day	Day after Thanksgiving
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Labor Day	

- *Veterans Day* – The City will provide unpaid time off for Veterans Day if an employee would otherwise be required to work on that day and if the employee provides: (a) at least three weeks' written notice to their supervisor that he or she intends to take time off for Veterans Day; and (b) documents showing that he or she is a veteran. To take this leave, the veteran must have served on active duty in the armed forces for at least six months and received an honorable discharge. If the individual served in a reserve or National Guard unit, the employee is not qualified for leave unless he or she was deployed or served on active duty for at least six months. The City will notify the employee, at least 14 days before Veterans Day, whether he or she will receive time off for Veterans Day. If the City determines that providing time off on this holiday would cause significant economic or operational disruption or undue hardship, the request will be denied, but the City will allow the worker to take a single day off within one year of Veterans Day.

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday.

To be eligible for holiday pay, an employee must have worked his or her regularly scheduled hours the workday before and the workday after the holiday, or have been on an approved vacation day or any other excused absence under City policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday.

Any hourly, non-exempt employee required to work on a holiday may take the holiday within the pay period with supervisor approval, or receive straight compensatory time to be used later.

Holidays are paid based on an eight (8) hour workday to regular full-time employees. If an employee works a shift of 10 hours per day/4 days per week, the employee will be paid eight (8) hours for the holiday and two (2) hours from their vacation bank, comp time or will make up the time.

Holidays may occur on the days regular or part-time employee are not scheduled to work. The employee may take the holiday within the pay period or receive straight comp time to be used later. Regular part-time employees will receive a pro-rated amount of paid time based on their regularly scheduled time.

Floating Holidays

Employees may select one (1) additional day with pay (known as the "floating holiday") during a calendar year. The Floating holiday will be granted by calendar year and must be used by December 31. Employees hired after March 1 are not eligible for the floating holiday until January 1 of the following year. Employees must coordinate requests for floating holidays with their supervisor. An employee is not eligible for a floating holiday after submitting a resignation.

Bad Weather/Emergency Closing

Except for regularly scheduled holidays identified by the City (see "Holidays" section, above), the City is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the City Manager (or his/her designee) will decide whether to close the City, and if so, to what extent.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your manager.

Bereavement Leave

Bereavement leave may be used to attend a funeral or alternative to a funeral for a family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. The two weeks of bereavement leave must be taken in the 60-day period following notice of death of a family member, and will be deducted from the

employee's available leave time under OFLA. For purposes of this policy, "Family Member" is defined to include the employee's:

Spouse, same-sex domestic partner, child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner or spouse.

Leave to attend the funeral of a non-immediate family member or person with some especially close relationship, or any other relative residing in the same house or person acting in the capacity of an immediate family member may be granted as bereavement leave.

Request Procedure

You are expected to give your employer as much notice as possible in writing of the need for time off so that arrangements can be made to cover your absence. You may be asked to verify family relationship and death.

Pay While on Leave

If you are a regular full-time employee or regular part-time employee, you will continue receiving your regular pay for up to the three days of bereavement leave allowed (based on 8 hours a day or pro-rated). Exempt employees will continue receiving their regular salaries for any additional partial days missed for any bereavement purpose. After the three days, employees are required to use available sick leave, comp time or vacation time in that order.

Status of Benefits

Bereavement leave won't affect your eligibility for benefits or benefit accruals. If you're gone longer than the three-day leave allowance and you are granted additional time off in the form of a personal leave, the effect of the additional leave on your benefits will be determined by the City's personal leave policy.

Reinstatement

Upon return from bereavement leave you will be reinstated to the same position you held at the time your leave began, subject to the City's general reinstatement policy.

Jury and Witness Duty

Jury Duty

The City will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's supervisor to verify the need for such leave. You will be compensated at your regular rate of pay, for your regular scheduled hours for up to two weeks. For longer service, jury duty pay would be at the discretion of the City Manager. Jury pay must be turned into the City, but the portion assigned to travel will be reimbursed to you.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his or her supervisor or Department Director informed about the amount of time required for jury duty.

Witness Duty

Time spent serving as a witness in a work-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to the City upon receipt.

Employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

Religious Observances Leave and Accommodation Policy

The City respects the religious beliefs and practices of all employees. The City will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on City's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made with the employee's supervisor.

Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his or her immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

“Immediate family member” includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to their supervisor as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney’s office, police report, a protective order issued by a court, or similarly reliable sources.

Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his or her minor dependents.

Reasons for taking leave include the employee’s (or the employee’s dependent’s) need to: seek legal or law enforcement assistance or remedies; secure medical treatment, or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or to relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation, sick leave or similar paid time off while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to the supervisor as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The City will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court

proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give the City notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give oral or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any other person on the employee's behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an "undue hardship" on the City. Please contact your supervisor immediately with requests for reasonable safety accommodations.

Military Leave

Employees who wish to serve in the military and take military leave should contact their supervisor for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

Pay While on Leave

Upon application, an employee will be entitled to a paid leave for a period not exceeding fifteen (15) calendar days in any one (1) calendar year. The paid leave shall be granted without loss of time, pay or other leave, and without impairment of merit ratings or other rights or benefits to which otherwise entitled.

Employee Benefits

Healthcare Benefits

Employees who meet the definition of "benefit eligible" under both City policy and that of its health insurance provider are entitled to the benefit options offered by the City. The City offers medical, dental and vision insurance for all of its regular, full-time employees. Part-time employees who work 30 hours a week or more may be eligible for health-insurance coverage under the Affordable Care Act (ACA). The City pays the cost of individual coverage for its regular, full-time employees with an employer paid and employee pay cost share. Those employees who wish to have their dependents included in the insurance plan are required to pay a portion of the monthly premium for that coverage on a payroll deduction basis. Participation in the plan coverage begins on the first day of the month following completion of the 30-day

waiting period. If an eligible employee does not enroll during the eligibility period they will be required to wait until “open enrollment” period or a life changing event occurs that makes them eligible.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by the City. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by the City, employees will be advised and provided with copies of relevant plan documents. Copies are available from the Human Resources Department.

The City offers additional City paid insurance plans. For further details, please contact the Human Resources Department.

Retirement Plan

All eligible employees including management, exempt employees, and non-exempt employees, unless currently enrolled in the City operated retirement plan (NERPS) or defined in a collective bargaining agreement, shall be members of the Oregon Public Employee Retirement System (PERS).

Employee Assistance Program (EAP)

This free, confidential service is provided to all employees covered by our medical insurance benefits, and their covered dependents who may be experiencing life problems. Information regarding this service can be obtained by contacting the Human Resources Department.

Workers' Compensation and Safety on the Job

You are protected by Workers' Compensation Insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

Steps to take if you are injured on the Job

To ensure that you receive any workers' compensation benefits to which you may be entitled, you must do all of the following:

1. Immediately report any work-related injury to your supervisor. You must report the injury at the time it happens, and no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and return it to your supervisor and the Human Resources Department.

Failure to timely follow these steps may negatively affect your ability to receive benefits.

Return to Work

If you require workers' compensation leave, you will – under most circumstances – be reinstated to the same position that you held at the time your leave began, or to an equivalent position, if available. However, you must first submit an approved medical certificate demonstrating your ability to return to work.

When returning from a workers' compensation leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent or comparable positions are available, then you may not be entitled to reinstatement. These are only examples and all reinstatement/reemployment decisions are subject to the terms of any applicable collective bargaining agreement. The City does not discriminate against employees who suffer a workplace injury or illness.

Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries involves a team effort by the City, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, the City will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with the City. While you are on modified or transitional work, you are still subject to all other City rules and procedures.

Overlap with Other Laws

The City will account for other leave and disability laws that might also apply to your situation, such as the ADA and FMLA or OFLA. If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the Americans with Disabilities Act and/or applicable Oregon laws covering disabilities in the workplace.

Outside Employment

Generally, employees may obtain employment with an employer other than the City or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of City time (including the employee's work time), facilities, equipment and supplies, or the prestige or influence of the employee's position with the City. In other words, the employee may not engage in private business interests or other employment activities on the City's time or using the City's property;
- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works; or
- Receipt of money or other consideration for performance of duties that the employee is required to perform for the City.

The City requires employees to report outside employment to their supervisor at time of hire and on an annual basis, or sooner if any changes in outside employment occurs.

Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, or in a City vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

Political Activity

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, for nomination or election of a candidate, for a ballot measure or referendum, or for a political campaign while on the job during working hours. (This is not intended to restrict the right of the City employees to express their personal political views.); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

Driving While on the Job

Employees using a private vehicle to conduct City business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized City business use should make any necessary arrangements with their insurance carriers for liability insurance coverage.

If your job requires you to drive a motor vehicle, the City may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment. Once you are employed with the City, the City will receive automated reports from the Department of Motor Vehicles (DMV). These reports notify the City when there are transactions on your driving record, such as speeding tickets and citations.

While on City business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on the job. Drivers are to ensure that the use of prescribed or over-the-counter drugs does not interfere with their ability to drive while on business. Operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their supervisor of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations.

Workplace Violence

The City recognizes the importance of a safe workplace for employees, customers, vendors, contractors and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee or member of the public against another person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with, or that threaten the safety, security or financial interests of the City. Employees should make such reports directly to their supervisor.

The City may conduct an investigation of a current employee where the employee's behavior raises concerns about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others.

Workplace Inspections – No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by the City pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voice mail systems, city cell phones and computer systems. *Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voice mail and computer systems assigned to them by the City; these areas are not private.*

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances.

Smoke-Free Workplace

The City provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. This policy applies to employees, volunteers, and any visitors to the City property, vehicles or facilities/buildings.

The City buildings and vehicles are tobacco-free areas. Further, the City prohibits tobacco use in or around City vehicles and equipment or machinery.

If you wish to smoke, you must do so only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows. The City has established employee smoking areas that your supervisor can show you.

Termination of Employment

Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and City's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other City records.
- Recording of work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any City property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of City equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on City property.
- Carrying firearms or any other dangerous weapon on City premises at any time.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on City property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another City employee, customer or vendor.
- Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
- Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls and or texting during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.

- Misrepresentation of City policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets or other resources of the City for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or City policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by City or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with City on time, and/or who's City - provided services are disconnected. This includes, without limitation, situations where the employee writes a check to City that is refused for payment due to non-sufficient funds.
- Harassment or discrimination that violates City policy.

This statement of prohibited conduct does not alter City's policy of at-will employment. With the exception of employees subject to a collective bargaining agreement or contract of employment, the City remains free to terminate the employment relationship at any time, with or without cause or notice.

Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet the City standards, the City will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. The City may also choose to send the employee to training or an education opportunity.

In all cases, the City retains sole discretion to determine the nature and extent of any discipline based upon the circumstances of each individual case. Accordingly, the City reserves the right to proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when the City

deems such action appropriate. The City retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action (other than those employees who are subject to a collective bargaining agreement or contract of employment).

Retirement or Resignation from Employment

If you choose to resign or retire, it is anticipated that you will give the City as much notice as possible – preferably a minimum of two weeks. When giving your two weeks' notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two weeks' notice of your intent to leave the City, you will not be eligible for re-employment at a later date.

Employees who miss three or more consecutive work days without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with their supervisor before making a final decision.

Employees must return all City property, including phones, computers, identification cards, credit cards, keys, and manuals, to their supervisor on or before their last day of work.

Exit Interview

An exit interview may be requested to give you an opportunity to address unresolved issues before leaving the City of Newberg and allow us to solicit your opinions about our City and any suggestions for improvement. We value all opinions and suggestions we receive in the process.

References

All requests for references or recommendations must be directed to the Human Resources Department. No Department Director, supervisor or employee is authorized to release references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment.

By policy, the City discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

Employee Acknowledgement

2019 Employee Handbook and Policies

I acknowledge that I have received and will read a copy of the City's 2019 Employee Handbook and Policies. I also understand that a copy of the 2019 Employee Handbook and Policies are available to me at any time to review in the Human Resources Department and on the City's website.

I understand that the Newberg City Council has adopted the 2019 Employee Handbook and Policies only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time at the City's sole discretion. I also understand that the 2019 Employee Handbook and Policies control over any other contradictory statements, other than those found in applicable collective bargaining agreements. I acknowledge that the 2019 Employee Handbook and Policies are not an employment contract and are not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either the City or I may terminate my employment relationship at any time, for any or no reason, with or without cause, and with or without advance notice, unless my employment is covered under a collective bargaining agreement. Other than promises that may be found in that collective bargaining agreement, I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement. I have reviewed or will review City's policies regarding equal employment opportunity and provides a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to my supervisor, the Human Resources Director, or any trusted Department Director or Supervisor.

Appendix/Policies Include: **A**-Equal Employment Opportunity (EEO) Policy; **B**-No Discrimination / No Harassment Policy; **C**-Whistleblower Policy; **D**-Family Medical Leave – FMLA/OFLA Policy; **E**-Alcohol/Drug Use – Abuse and Testing Policy; **F**-Use of City Equipment and Social Media Policy; **G**-Safety Policy; **H**-Employee Photo Identification and Access Policy

During my employment with the City, I understand that it is my responsibility to remain informed about the policies as revisions, updates and new polices as issued, and to ask questions about any interpretation of any of the policies. I have read this acknowledgement carefully before signing.

Employee Signature

Date

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.